

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
ROBERT CARL KINDELL,
Defendant.

Case No. 3:23-cr-00039-ART-CLB

ORDER APPROVING (ECF No. 14)

Stipulation Pursuant to ECF No. 11

I. The Government's Discovery¹

A. Discovery under FRCP 16(a)(1)(A)-(F)

The Defendant's Statements

The statements of the defendant have been disclosed.

USAO000001, USAO000066-USAO000086, USAO000061-USAO000062
disclosed on January 3, 2024.

¹ The government recognizes its discovery obligations are ongoing. The government reserves its right to produce subsequent discovery and use it at future proceedings, such as any hearings, trial, or sentencing.

1 The Defendant's Criminal History

2 The criminal history of the defendant has been disclosed.

3 USAO000002-USAO000060, disclosed on January 3, 2024.

4 Documents and Tangible Objects

5 The defendant may examine the physical evidence discoverable under Rule
6 16, including original documents, by contacting the government to arrange a mutually
7 convenient time.

8 Reports of Examinations and Tests

9 The government will provide the defense with copies of any reports of
10 examinations or tests in this case as they become available.

12 Expert Witnesses

13 The government will provide expert witness disclosures consistent with
14 Federal Rule of Criminal Procedure 16(a)(1)(G) for its' Case in Chief no later than 60 days
15 before trial. The Defense will provide its expert witness disclosures consistent with Federal
16 Rule of Criminal Procedure 16(b)(1)(C) no later than 14 days after the government's expert
17 notice is due. The government will provide expert witness disclosures consistent with
18 Federal Rule of Criminal Procedure 16(a)(1)(G) for its rebuttal case no later than 7 days
19 after the defendant's expert notice is due.

21 B. Brady, Giglio, and Henthorn Material

22 The government understands and will comply with its continuing obligation
23 to produce exculpatory material as defined by *Brady v. Maryland*, 373 U.S. 83 (1963), and its
24 progeny. Before trial, the government will furnish materials discoverable pursuant to Title

1 18, United States Code, Section 3500, as well as impeachment materials. *See Giglio v. United*
2 *States*, 405 U.S. 150 (1972) and *United States v. Henthorn*, 931 F.2d 29 (9th Cir. 1991).

3 C. Discovery under FRCP 12.1, 12.2, and 12.3

4 The government will request notice of any alibi defense 60 days before trial. The
5 defendant will respond within 14 days after the request.

6 The government cannot make any requests under Rules 12.2 nor 12.3 until triggered
7 by a notice of such defenses by the defendant, and therefore, a deadline cannot be addressed
8 at this time.

9 II. The Defendant's Disclosures

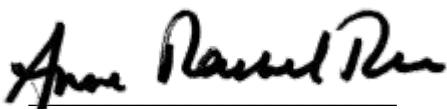
10 The defendant will provide any expert witness disclosures consistent with Federal
11 Rule of Criminal Procedure 16(b)(1)(C) no later than 14 days after the government's expert
12 notice is due. Defendant will file any written notice of an alibi defense, insanity defense,
13 expert evidence of a mental condition, or public authority defense consistent with FRCP
14 12.1, 12.2, and 12.3.

15 DATED this 7th day of February, 2024

16 JASON M. FRIERSON
17 United States Attorney

18 /s/ Andrew Keenan
19 ANDREW KEENAN
20 Assistant United States Attorney

21 APPROVED.

22 
Anne R. Traum
United States District Judge

23 DATED: February 12, 2024.

24 RENE VALLADARES
Federal Public Defender

/s/ Joy Chen
JOY CHEN
Assistant Federal Public Defender
Counsel for Robert Carl Kindell